

§ 86.1727-99

standard, he or she may accept the information supplied by the manufacturer in lieu of vehicle test data.

[62 FR 31242, June 6, 1997. Redesignated and amended at 63 FR 987, Jan. 7, 1998]

§ 86.1727-99 [Reserved]

§ 86.1728-01 Compliance with emission standards for the purpose of certification.

The provisions of § 86.1837-01 and subsequent model year provisions apply with respect to the applicable standards of this subpart.

[64 FR 23924, May 4, 1999]

§ 86.1728-99 Compliance with emission standards.

The provisions of § 86.094-28 and subsequent model year provisions apply to this subpart, with the following exceptions and additions:

(a) The provisions of § 86.094-28(a)(1) and subsequent model year provisions do not apply to this subpart. The following shall instead apply to this subpart:

(1) The provisions of § 86.094-28(a) and subsequent model year provisions apply to light-duty vehicles and light light-duty trucks, except ZEVs.

(2) [Reserved]

(b) The provisions of § 86.094-28(a)(4)(i) and subsequent model year provisions do not apply to this subpart. The following shall instead apply to this subpart:

(1) Separate emission deterioration factors shall be determined from the exhaust emission results of the durability-data vehicle(s) for each engine-system combination. A separate factor shall be established for exhaust HC (non-alcohol vehicles, non-TLEVs, non-LEVs, and non-ULEVs), exhaust OMHCE or OMNMHCE (alcohol vehicles that are not TLEVs, LEVs, or ULEVs), exhaust NMOG (all TLEVs, LEVs, ULEVs), exhaust formaldehyde (alcohol vehicles, TLEVs, LEVs, ULEVs), exhaust CO, exhaust NO_x, and exhaust particulate (diesel vehicles only) for each engine-system combination. A separate evaporative emission deterioration factor shall be determined for each evaporative emission family-evaporative emission control system combination from the testing

40 CFR Ch. I (7-1-07 Edition)

conducted by the manufacturer (gasoline- and alcohol-fueled vehicles only). Separate emission correction factors (diesel light-duty vehicles and light-duty trucks equipped with periodically regenerating trap oxidizer systems only) shall be determined from the exhaust emission results of the durability-data vehicle(s) for each engine-system combination. A separate factor shall be established for exhaust HC (non-alcohol vehicles, non-TLEVs, non-LEVs, and non-ULEVs), exhaust OMHCE or OMNMHCE (alcohol vehicles that are not TLEVs, LEVs, or ULEVs), exhaust NMOG (TLEVs, LEVs, ULEVs), exhaust CO, exhaust NO_x, and exhaust particulate for each engine-system combination.

(2) [Reserved]

(c) The provisions of § 86.094-28(a)(4)(i)(A)(4) and subsequent model year provisions do not apply to this subpart. The following shall instead apply to this subpart:

(1) The manufacturer must use the outlier identification procedure set forth in appendix VIII of this part to test for irregular data from a durability-data set. If any data point is identified as a statistical outlier, the Administrator shall determine, on the basis of an engineering analysis of the causes of the outlier submitted by the manufacturer, whether the outlier is to be rejected. The outlier shall be rejected only if the Administrator determines that the outlier does not reflect representative characteristics of the emission control system, *i.e.*, the outlier is a result of an emission control system anomaly, test procedure error, or an extraordinary circumstance not expected to recur. Only the identified outlier shall be eliminated; other data at that test point (*i.e.*, data for other pollutants) shall not be eliminated unless the Administrator determines, based on the engineering analysis, that they also do not reflect representative characteristics of the emission control system. Where the manufacturer chooses to apply both the outlier procedure and averaging to the same data set, the outlier procedure shall be completed prior to applying the averaging procedure. All durability test data, including any